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### Out of State Influence on Municipal Employees Passes House

**HB 2134** by Rep. John George (R-Newalla) and Sen. Grant Green (R-Wellston) changes the current process by making it longer, more expensive and will bring in out of state labor arbitrators to make decisions regarding municipal employees in Oklahoma.

This bill modifies the Public Employee Relations Board (PERB) allowing the Board to have the power to set an unfair labor practice matter for hearing, take evidence and decide the questions presented.

The current process says that the Board shall give notice withing five days after serving the complaint. The new language says that "When an employer or bargaining agent claims that an unfair labor practice has been committed by the other, it shall notify the other in writing, within six (6) months of the commission of the alleged practice. Within ten (10) days of such notification each party shall select and name one arbitrator and shall immediately thereafter notify each other in writing of the name and address of the person selected." **This will create a lengthier and more expensive process.**

The new legislation says that "If the arbitrators are unable to agree upon the selection of a third arbitrator, the bargaining agent and the corporate authorities shall request the Federal Mediation and Conciliation Service to provide a list of five arbitrators." **There is no guarantee that this will be someone from Oklahoma and will most likely be a labor arbitrator from out of state with no first-hand knowledge of the municipality or the State.**

The bill passed the House on Wednesday by a [vote](#) of 76 to 8. The bill moves to the Senate.

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## **PTSD Through Workers' Comp System** **Eligible for Hearing in House**

[HB 2398](#) by Rep. Neil Hays (R-Muskogee) and Sen. Paul Rosino (R-OKC) will place significant costs on municipalities by funding PTSD treatment through the Workers' Compensation system.

HB 2398 amends Worker's Compensation in 85A O.S. Section 13 authorizing mental injury or illness as a compensable injury, without a physical injury, for a first responder who suffers post-traumatic stress disorder (PTSD) after responding to an emergency. The bill defines "first responder" as a law enforcement officer, firefighter, or emergency medical technician on a full-time basis by a municipality, county, or the State of Oklahoma, or a volunteer firefighter. The employer must provide reasonable and necessary medical treatment subject to the Fee Schedule for workers' compensation for a period not to exceed one (1) year, if it is determined the first responder has suffered PTSD not accompanied by a physical injury. The employer is not responsible for prescription medication more than Ten Thousand Dollars (\$10,000). The bill provides compensation if the first responder is temporarily unable to perform his job or any alternative work offered by the employer, the employer shall pay to maintain health insurance coverage.

While cities and towns value public safety officials and support their mental health, the costs of this could be unsustainable to municipalities. Workers' compensation insurance is one of the costs cities have to consider in their public safety budgets, just like police cars or fire hoses. There is a great deal of uncertainty surrounding new claims for PTSD, and this could be extremely costly for the municipalities and the taxpayers.

**WE ARE NOT OPPOSED TO OUR FIRST RESPONDERS RECEIVING TREATMENT.** We want to help these public servants, and we want them to ask for help. We have consistently offered to provide time off work, treatment, pharmacy allowance, continued medical insurance and

medical retirement if necessary and not just a lump sum Worker's Comp check.

**This bill is eligible to be heard on the House Floor at any time.**

## **Bills Preempt Control on Combustion Engines and Gas Stoves**

When legislation passes in other states, we get preemption bills. The Legislature tends to act on issues even if they have not been introduced in Oklahoma cities and towns. This year the focus of the Legislature is the ability to regulate what happens in your communities in regards to combustion engines. The bills moving through the process are as follows:

**Preemption/Combustion Engines:** [HB 2135](#) by Rep. Mark Lepak (R-Claremore) and Sen. Grant Green (R-Wellston) creates the Oklahoma Right to Drive Act. For purposes of promoting commerce and the equitable treatment of the citizens of this state, limitations on the sale, purchase, trade, or usage of any motor vehicle which utilizes an internal combustion engine as a means of propulsion by any city, town, county, or subdivision thereof is declared a statewide concern and shall be prohibited from any regulation by a city, town, county, or subdivision.

The bill passed the House on Wednesday by a [vote](#) of 73 to 18. The bill moves to the Senate.

**Preemption/Internal Combustion Engines & Gas Stoves:** [SB 202](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Jon Echols (R-OKC) prohibits the state or any political subdivision from outlawing the use of internal combustion engines and gas fueled stoves. The rights of individuals in Oklahoma to use internal combustion engines and gas fueled stoves shall be protected in Oklahoma.

The bill could be heard at any time on the Senate floor.

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## **Employers Prohibited from Asking about Felony Convictions**

**SB 1077** by Sen. Jack Stewart (R-Yukon) and Rep. John Talley (R-Stillwater) does not allow for employers to ask if a candidate has been convicted of a felony prior to making an offer of employment. There are exemptions for law enforcement, judiciary, education institutions, care facilities, medical facilities, and any institution that requires security clearance are exempted.

**SB 1077** requires consumer background reports to comply with the provisions of 15 U.S.C., Section 1681 unless conducted for the purpose of law enforcement investigations or a pending judicial proceedings. Prohibitions on disclosure of certain background information and criminal history information shall be considered a confidential privilege under the Oklahoma Open Records Act. The measure provides that employers who maintain a policy of not hiring ex-felons to post a statement on the job posting. Employers are prohibited from inquiring about the felony status of an individual but may conduct a background report. Law enforcement agencies requiring security clearance are exempted from this prohibition. Any employer who makes an employment hire shall be indemnified from civil liability for causes of action directly stemming from the hired person unless it can be shown the employer in some way acted with reckless disregard for public or personal safety while in some direct violation of these provisions.

The bill could be heard on the Senate floor at any time.

## **BILLS ON THE MOVE**

### ***Snapshot of bills impacting cities and towns***

**Computer Data & Privacy Act:** **HB 1030** by Rep. Josh West (R-Grove) and Sen. Brent Howard (R-Altus) creates the Oklahoma Computer Data and Privacy Act. This bill entitles a consumer to request that a business that collects the consumer's personal information delete any personal information the business has collected from the consumer. It contains several other provisions to ensure that the privacy of consumers' personal information. It also

preempts any ordinance, order or rule adopted by a political subdivision of this state relating to the collection or sale by a business of a consumer's personal information. This bill contains penalties, definitions, and extensive details.

The bill passed the House on Wednesday by a **vote** of 84 to 11. The bill moves to the Senate.

**Juveniles/Adjudication:** **HB 1032** by Rep. Mark Lawson (R-Sapulpa) and Sen. Julie Daniels (R-Bartlesville) requires that a child being held in secure detention on charges as an accused juvenile delinquent, adjudication must occur within thirty (30) days after the detainment for that charge. This time may be extended to allow parties to negotiate in good faith to review discovery or for any good cause shown. The provisions of this subsection shall not apply to matters in which a non-injury or jury trial are requested by the child.

The bill passed the House on Monday by a **vote** of 97 to 0. The bill moves to the Senate.

**Labor/Drug Testing:** **HB 1045** by Rep. Mark Lawson (R-Sapulpa) and Sen. Todd Gollihare (R-Kellyville) requires a drug screen testing facility to report preliminary positive test results to an employer's review officer as soon as the result for the preliminary test becomes available or the next working day. The final conclusion of the testing (the results of initial tests, confirmation tests or quality control data), shall be reviewed and the test certified as an accurate report by the responsible individual. The report shall identify the drugs and metabolites tested for, whether positive or negative, and the cutoff for each, the specimen number assigned by the employer, and the drug screen testing facility specimen identification number.

The bill passed the House on Thursday by a **vote** of 79 to 0. The bill moves to the Senate.

**Law Enforcement/Kasey Alert Act:** **HB 1077** by Rep. Ken Luttrell (R-Ponca City) and Sen. Cody Rogers (R-Tulsa) creates the Kasey Alert Act. The Department of Public Safety (DPS) shall develop and implement a statewide Kasey Alert system to be activated on behalf of a critically missing adult. The

alert system in cooperation with DOT, DHS, ODEMHS, tribal governments, the Oklahoma Association of Broadcasters, and any other state or local agency that DPS deems appropriate. DPS shall promulgate rules necessary to implement this act, provided the rules shall include: 1) the procedure to be used by law enforcement agencies to verify whether an adult is believed to be at risk or abduction or being taken against his or her will; 2) the criteria law enforcement agencies must consider in circumstances in which a missing person does not meet the definition of a critically missing adult but whose safety would be best protected by the issuance of a Kasey Alert; 3) the procedure for law enforcement agencies to follow in initiating such alerts; 4) the method whereby information is distributed statewide; the procedure for the receipt and evaluation of information received from the public; and the procedure for the termination of a Kasey Alert.

When a law enforcement agency receives notice of a critically missing adult, the agency shall: 1) enter the missing individual in the NCIC database immediately; 2) investigate the disappearance of the critically missing adult; and 3) collect identifying information and any other information that might be useful to the general public for the safe recovery of the person.

A Kasey Alert shall include all appropriate information provided by a law enforcement agency for a safe recovery and a statement instructing any person with information to a missing Native American or Indigenous person to contact law enforcement or tribal authorities. The bill sets up procedures for what to do when a Kasey Alert is terminated.

The bill passed the House on Tuesday by a [vote](#) of 77 to 2. The bill moves to the Senate.

**Sales Tax Exemption/Broadband Equipment:** [HB 1130](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Roger Thompson (R-Okemah) allows a sales tax exemption for qualifying broadband equipment to remain operational without the enactment of an incentive award formula. The bill removes the

formula for the exemption as well as moving the enforcement to the Oklahoma Broadband Office.

The bill passed the House on Wednesday by a [vote](#) of 82 to 2. The bill moves to the Senate.

**First Responders Job Protection Act/Drug Tests/Exposure:** [HB 1408](#) by Rep. Bob Ed Culver (R-Tahlequah) and Sen. Todd Gollihare (R-Kellyville) creates the First Responders Job Protection Act. It requires the first responder or volunteer first responder subject to drug testing to verbally report to the first responder's agency or private employer prior to testing, any specific known potential passive exposure to any controlled dangerous drug that has occurred in the previous fourteen (14) days while responding to an emergency. In the event of a positive test, the medical review officer shall provide documentation of the verbal report and a subsequent written report provided by the responding agency in order to rule out passive exposure.

The bill passed the House on Monday by a [vote](#) of 95 to 0. The bill moves to the Senate.

**Video Services/Municipal Agreements:** [HB 1599](#) by Rep. Ryan Martinez (R-Edmond) and Sen. Roger Thompson (R-Okemah) modifies the definition of "video services" to include wireline facilities that are owned, controlled, constructed, or operated by the provider of such video service and located at least in the part in the public right of way. Video services does not include video programming provided by a commercial mobile service provider as defined in 47 U.S.C., Section 332(d)(1); direct-to-home satellite services as defined in 47 U.S.C., Section 303(v) that are transmitted from a satellite directly to a customer's premises without using or accessing any portion of the public right-of-way; or video programming accessed over the internet, including streaming content.

The bill passed the House on Monday by a [vote](#) of 98 to 0. The bill moves to the Senate.

**Sales Tax Exemption/Commercial Digital Asset Mining:** [HB 1600](#) by Rep. Ryan Martinez (R-Edmond) and Sen. John Montgomery (R-Lawton)



creates the Commercial Digital Asset Mining Act of 2023. Beginning on the effective date of this act and ending on December 31, 2038, the sale of machinery and equipment including but not limited to servers and computers, racks, power distribution units, cabling, switchgear, transformers, substations, software, network equipment, and electricity used for commercial mining of digital assets in a colocation facility shall be exempt from the tax imposed by Section 1350 et seq. of Title 68 of the Oklahoma Statutes.

The bill passed the House on Monday by a [vote](#) of 62 to 33. The bill moves to the Senate.

**Medical Marijuana/Conflict of Interest:** [HB 1616](#) by Rep. Rande Worthen (R-Lawton) and Sen. Jessica Garvin (R-Duncan) requires any elected or appointed state, county, or municipal official to disclose any conflict of interest or ownership interest in the medical marijuana business to the Oklahoma Medical Marijuana Authority (OMMA). The bill defines interest as ownership in any entity that holds a medical marijuana license issued by OMMA or an interest in any entity that receives a set percentage of profit distribution from any entity that holds a license issued by the OMMA.

The bill passed the House on Wednesday by a [vote](#) of 65 to 29. The bill moves to the Senate.

**Medical Marijuana/Electricity & Water Usage Reports:** [HB 1711](#) by Rep. T.J. Marti (R-Broken Arrow) and Sen. Jessica Garvin (R-Duncan) requires licensed medical marijuana commercial growers to inform retail suppliers of electric cooperatives as to their license status. The bill establishes an electronic procedure for monitoring, collecting, and transmitting licensed medical marijuana commercial growers' monthly usage of electricity and water provided by retail suppliers or electric cooperatives. OMMA shall provide licensed medical marijuana commercial growers a means to transmit the monthly reports of electricity and water usage. OMMA is also required to develop rules, exemptions from the requirements, and any necessary procedures for the metering of the usage of electricity and water by medical marijuana commercial growers that are not supplied by retail

suppliers or electric cooperatives including, but not limited to the usage of well water and gas-powered generators. Refusal to submit the required monthly usage report or use of an under permitted water source shall result in the permanent revocation of the medical marijuana commercial grower license.

The bill passed the House on Wednesday by a [vote](#) of 88 to 0. The bill moves to the Senate.

**State Architectural & Registered Commercial Interior Designers Act:** [HB 1793](#) by Rep. Mike Osburn (R-Edmond) and Sen. Adam Pugh (R-Edmond) defines "nonstructural interior construction" to mean the construction of elements which do not include: the design of architectural and engineering work, altering the building's existing primary structural, fire and life safety, mechanical, electrical and plumbing systems, as set out in Oklahoma state law or the current International Building Code as adopted by OUBCC or other related primary building systems, and changes to the building's core and shell. Nonconstructural interior construction projects in Code Use Groups requiring an architect are exempt from hiring an architect if the services are performed by a licensed interior designer.

The bill passed the House on Monday by a [vote](#) of 97 to 0. The bill moves to the Senate.

**Law Enforcement/Littering:** [HB 1891](#) by Rep. Josh Cantrell (R-Kingston) and Sen. Jack Stewart (R-Yukon) authorizes any peace officer of this state or any political subdivision of this state to issue a state traffic citation to any person committing a violation of Section 1205 of this title. Such state traffic citations shall be in an amount of not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00). The fines collected from the payment of such state traffic citations shall not include court costs and shall be divided as follows: 1) one-half (1/2) to the reward fund created pursuant to Section 1334 or Title 22 and 2) one-half (1/2) to be paid into the sheriff's service fee account for the county to be used for enforcement. In lieu of a fine, courts may assess payment into the reward fund for criminal violations of environmental statutes including but not limited to, Sections 2-5-

116, 2-6-206, and 2-10-310 of Title 27A. Such payments shall not exceed the maximum possible criminal fine for such violation. The identity of an individual who reports a littering complaint to law enforcement shall remain anonymous. Disclosure of information and identities of informants shall be at the discretion of the district attorney and presiding judge.

The bill passed the House on Wednesday by a [vote](#) of 86 to 11. The bill moves to the Senate.

**Oklahoma 9-1-1 Management Authority:** [HB 1897](#) by Rep. Josh Cantrell (R-Kingston) and Sen. Chris Kidd (R-Waurika) amends Section 2862 of Title 63 by adding definitions used by the Oklahoma 9-1-1 Management Authority. The bill repeals Sections 2811, 2812 and 2813 of Title 63.

The bill passed the House on Tuesday by a [vote](#) of 92 to 1. The bill moves to the Senate.

**Law Enforcement/CLEET/Promissory Note:** [HB 1925](#) by Rep. Lonnie Sims (R-Jenks) and Sen. John Haste (R-Broken Arrow) authorizes a law enforcement agency previously approved by CLEET to conduct a basic law enforcement academy to require any person or peace officer to execute a promissory note for academy training expenses payable to the law enforcement agency conducting the training, whereby the person or peace officer promises to repay the note by remaining with the law enforcement agency in a position approved by the law enforcement agency for a period of time agreed upon and under terms and conditions agreeable to both parties, not to extend longer than four (4) years following graduation from the basic law enforcement academy.

The bill passed the House on Monday by a [vote](#) of 97 to 0. The bill moves to the Senate.

**Electric Provider Easements/Broadband:** [HB 1965](#) by Rep. Carl Newton (R-Cherokee) and Sen. Brent Howard (R-Altus) defines "approved broadband provider", "broadband services", "electric provider" and "telecommunication provider". The bill allows electric, telecommunications, and broadband providers to utilize existing electrical utility

easements to provide or expand access to broadband services. The bill prohibits class action lawsuits alleging trespass, nuisance or inverse condemnation based on a claim of expanded easement use when the broadband facilities are located on above ground property owned or utilized by an electric provider. Such claims must be brought individually by a property owner. Upon a successful claim by the property owner and payment of damages to the property owner, an electric or broadband provider will be granted a permanent easement for the use of the facilities installed.

The bill passed the House on Monday by a [vote](#) of 96 to 0. The bill moves to the Senate.

**Police Pension/Small Departments:** [HB 1969](#) by Rep. Carl Newton (R-Cherokee) and Sen. John Montgomery (R-Lawton) permits a municipality with a population of four thousand five hundred (4,500) or less, according to the latest Federal Decennial Census, to employ a retired police officers who are more than forty-five (45) years in age and who have participated in the Oklahoma Police Pension & Retirement System and are receiving retirement benefits. Such officer shall not be eligible to reenter and participate in the system.

The bill passed the House on Wednesday by a [vote](#) of 96 to 0. The bill moves to the Senate.

**Water Quality Standards:** [HB 1982](#) by Rep. Brad Boles (R-Marlow) and Sen. Lonnie Paxton (R-Tuttle) removes the requirement that the Oklahoma Water Resources Board develop and submit a report to the Legislature every other year about the status of water quality monitoring in Oklahoma. The bill also removes OWRB's ability to promulgate water quality standards for state waters and classify such waters according to their best use.

The bill passed the House on Tuesday by a [vote](#) of 92 to 0. The bill moves to the Senate.

**Sales Tax Exemption/Hearing Aids/Rebate State Portion:** [HB 2027](#) by Rep. Max Wolfley (R-OKC) and Sen. Jessica Garvin (R-Duncan) creates a sale tax exemption for hearing aid purchases shall be administered as a rebate with respect to the state

sales tax amount. The taxpayer may file a claim for a refund with the Oklahoma Tax Commission for the state sales tax amount applicable to the sale transaction. The taxpayer shall provide such documentation to OTC as required to establish the price paid for the hearing aid or hearing aids and the state sales tax amount. The taxpayer may only receive a rebate of the state sales tax amount and no rebate of any sales tax levied by a county or municipality shall be eligible for the rebate process. Any claim for the state sales tax amount shall be filed no later than one (1) year of the purchase date.

The bill passed the House on Thursday by a [vote](#) of 89 to 1. The bill moves to the Senate.

**Deadly Force:** [HB 2049](#) by Rep. David Hardin (R-Stilwell) and Sen. Tom Woods (R-Westville) modifies the definition of "dwelling" to mean the parcel of land to the property lines and any building or structure erected thereon, of whatever form, regardless of whether movable or temporary, which is for the time being the residence or place of lodging of the person.

The bill passed the House on Thursday by a [vote](#) of 78 to 20. The bill moves to the Senate.

**Law Enforcement Agencies/Misconduct Reports:** [HB 2132](#) by Rep. John George (R-Newalla) and Sen. Paul Rosino (R-OKC) provides guidelines when evaluating the credibility of a peace officer who is or will serve as a witness in a criminal proceeding unless the allegation of misconduct has been adjudicated as sustained. In a contested case, an administrative law judge appointed by the AG shall determine by a preponderance of the evidence whether the alleged misconduct that resulted in the peace officer being placed on the Brady/Giglio list or similar list of noncredible peace officers. The respondent in the hearing shall be the law enforcement agency that reported or alleged the misconduct by the peace officer. If a peace officer has been placed on the Brady/Giglio list due to a said allegation of misconduct and the administrative process addressing said allegation is still pending or has been appealed, the administrative law judge shall find in favor of the peace officer. If the administrative law judge finds the allegations of

misconduct are not supported by a preponderance of the evidence, the law enforcement agency and attorney for the state may not rely on said allegations for any purpose. Any court that considers the credibility of a peace officer who has filed a petition with the AG, shall be provided a copy of the findings of fact and conclusions of law issued by the administrative law judge.

The bill passed the House on Wednesday by a [vote](#) of 69 to 22. The bill moves to the Senate.

**Municipal Road Construction/Fair Pay for Construction Act:** [HB 2150](#) by Rep. Kevin West (R-Moore) adds municipal road construction to the list of exemptions of the Fair Pay for Construction Act. Effective November 1, 2023, any and all current retainages shall be returned to the contractor.

The bill passed the House on Thursday by a [vote](#) of 85 to 0. The bill moves to the Senate.

**Healthcare Facility Violence:** [HB 2154](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Kristen Thompson (R-Edmond) amends the definition of medical care provider to include any other employees or independent contractors working in or for a health care facility. The bill prohibits assault on any medical care providers, other employees or independent contractors working in or for a health care facility and performing medical care duties. The medical facilities are required to report assault data to the Department of Health by January 31st of the following year. Reports are to withhold the identities of both the victim and assailant. The Department of Health is authorized to publish the data on its website on an annual basis.

The bill passed the House on Thursday by a [vote](#) of 86 to 0. The bill moves to the Senate.

**Law Enforcement Mental Health Manpower Act:** [HB 2157](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Greg McCortney (R-Ada) removes the provision stating an officer does not have to make a written statement if the officer does not take an individual into protective custody. The bill also creates the Shannon Hanchett Act requiring at least twenty percent (20%) of all active-duty peace officers to

complete crisis intervention training, in addition to any other required mental health training as prescribed by the Department of Mental Health and Substance Abuse Services. Any person who appears to be or states that such person is mentally ill, alcohol-dependent, or drug-dependent to a degree that no immediate emergency mental health treatment is necessary, may be taken into custody and placed in county detention center without a mental health evaluation or mental health treatment, provided such reasoning is documented by the peace officer.

The bill passed the House on Wednesday by a [vote](#) of 92 to 0. The bill moves to the Senate.

**Medical Care Providers/Personal Information:** [HB 2172](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Kristen Thompson (R-Edmond) adds medical care providers to the list of individuals that are protected from having their electronic communication devices to public identifying information. However, it shall not apply when the incident is unrelated to the provider's professional duties. "Medical care provider" means a doctor, resident, intern, nurse, nurse practitioner, nurses' aide, ambulance attendant or operator, paramedic, emergency medical technician, laboratory technician, radiologic technologist, physical therapist, physician assistant, chaplain of a health care facility, volunteer of a health care facility, pharmacist, nursing student, medical student, member of a hospital security force, and any other employee or contractor working in or for a health care facility.

The bill passed the House on Monday by a [vote](#) of 94 to 0. The bill moves to the Senate.

**Terry Peach North Canadian Watershed Restoration Act:** [HB 2239](#) by Rep. Mike Dobrinski (R-Okeene) and Sen. Darcy Jech (R-Kingfisher) creates the Terry Peach North Canadian Watershed Restoration Act. There is a pilot program created to remove or eradicate invasive woody species in the North Canadian Watershed to be administered by the Oklahoma Conservation Commission. The Commission shall cooperate with landowners, state agencies and other political subdivisions for removal of invasive woody species. The

Commission is authorized to promulgate any rules and procedures to effectuate the provisions of this section. The creation of a revolving fund in the State Treasury is designated the "North Canadian Watershed Revolving Fund" and consists of all monies received by the Conservation Commission from appropriations, federal grants or funds, municipal contributions, private contributions, and any other sources, including interest earned for duties associated with invasive woody species removal.

The bill passed the House on Thursday by a [vote](#) of 87 to 0. The bill moves to the Senate.

**Utilities/Exemption for Victims of Certain Crimes:** [HB 2242](#) by Sen. Mike Dobrinski (R-Kingfisher) and Sen. Adam Pugh (R-Edmond) allows a customer or applicant who has been determined to be a victim of domestic violence, stalking, or harassment by any of the following: 1) an existing protective order; 2) law enforcement personnel; or 3) a designated representative of a certified domestic violence shelter or certified domestic violence program to be exempt from the public utility's initial credit and deposit requirements as established by the public utility.

The bill passed the House on Thursday by a [vote](#) of 88 to 0. The bill moves to the Senate.

<b>Sales</b>	<b>Tax</b>	<b>Exemption/Disabled</b>
<b>Veterans/Surviving Spouse:</b> <a href="#">HB 2312</a> by Speaker Pro Tempore Kyle Hilbert (R-Bristow) and Sen. Todd Gollihare (R-Kellyville) amends 68 O.S. Section 1357(34) allowing the surviving spouse of a one hundred percent (100%) disabled veteran to claim the surviving spouse sales tax exemption even if the one hundred percent (100%) disability determination isn't finalized until after the death of the veteran.		

The bill passed the House on Wednesday by a [vote](#) of 90 to 0. The bill moves to the Senate.

**Sales Tax Exemption/Rolling Stock:** [HB 2317](#) by Speaker Pro Tempore Kyle Hilbert (R-Bristow) and Sen. Roger Thompson (R-Okemah) moves the



sunset date on the sales tax exemption of rolling stock to July 1, 2029.

The bill passed the House on Wednesday by a [vote](#) of 94 to 1. The bill moves to the Senate.

**(OML Priority) Certificates of Convenience and Necessity:** [HB 2360](#) by Rep. Brad Boles (R-Marlow) and Sen. Lonnie Paxton (R-Tuttle) requires each provider of telecommunications services, to obtain a Certificate of Convenience and Necessity and attest that it will comply with all applicable rules and orders of the Corporation Commission, federal, state, and local government laws. In addition, the applicant shall provide notice by mail or electronic mail of such application or application for an expanded service territory to municipalities, cities and towns located within the initial or expanded service territory requested in its application that have registered with the Public Utility Division of the Oklahoma Corporation Commission for receipt of notice.

The bill passed the House on Monday by a [vote](#) of 95 to 0. The bill moves to the Senate.

**(OML Priority) Municipal Audits:** [HB 2362](#) by Rep. Brad Boles (R-Marlow) and Sen. Jessica Garvin (R-Duncan) directs the governing body of each municipality that requests the biennial agreed-upon-procedures engagement to determine the establishment of policies related to adjustments, write-downs, or write-offs for various receivables due to the municipality and/or the utility-related trust and select a sample of adjustments to test for adherence to policies and for appropriate supporting documentation; obtain two (2) months of bank statements of the General Fund and Utility Fund and confirm that cash deposits were made in the appropriate account(s) and verify utility billing receipts and/or posting reports agree to the daily deposits. The governing body shall agree upon a pay rate to be authorized and documented in the personnel file or in approved meeting minutes for the city manager/town administrator, city/town clerk, city/town treasurer and payroll clerk. Public trusts with municipal governments as the beneficiary that meet the same financial requirements established in subsection B, may in

alternative to obtaining an audit, follow the biennial agreed-upon-procedures engagements as outlined in subsection D of this section.

The bill passed the House on Monday by a [vote](#) of 90 to 4. The bill moves to the Senate.

**Civil Procedure/Default Judgments:** [HB 2372](#) by Rep. Chris Kannady (R-OKC) and Sen. Brent Howard (R-Altus) declares nothing in any provision of this title or in any local or district court rule shall be construed to require either a motion or a hearing for default judgment, and no notice shall be necessary, if, after service of summons and petition, a defendant fails to timely file with the court clerk within twenty (20) days a written appearance, answer, motion, pleading, or response as provided in subsection A of this section. Contact or communication with the plaintiff or attorney of the plaintiff shall not constitute an appearance, answer, motion, pleading, or response unless the contact or communication is in writing and is also timely filed by the defendant in writing with the court clerk as provided in subsection A of this section. The provisions of this subsection shall not be construed to prevent an evidentiary hearing concerning the amount of damages to be awarded. Interest on a judgment shall also apply to the amounts collected on any judgment enforced during the pendency of an appeal which is subsequently overturned on appeal when restitution is paid to the defendant.

The bill passed the House on Thursday by a [vote](#) of 91 to 0. The bill moves to the Senate.

**Emergency Price Stabilization Act:** [HB 2561](#) by Rep. Mark McBride (R-Moore) and Sen. John Montgomery (R-Lawton) adds natural gas to the list of commodities to price increase limitations during the declaration of emergency by the Governor.

The bill passed the House on Monday by a [vote](#) of 81 to 12. The bill moves to the Senate.

**Law Enforcement/Sex Offenders:** [HB 2608](#) by Rep. JJ Humphrey (R-Lane) and Sen. David Bullard (R-Durant) modifies the definition of "local law enforcement authority" within the Oklahoma Sex Offender Registration Act to include the police or

law enforcement officers of any federally recognized Indian nation or tribe in Oklahoma. This will require persons subject to registration to report to such law enforcement if they reside or stay within the jurisdictional boundaries of the Indian nation or tribe.

The bill passed the House on Wednesday by a [vote](#) of 93 to 0. The bill moves to the Senate.

**Sunset/DEQ Councils:** [HB 2802](#) by Rep. Gerrid Kendrix (R-Altus) and Sen. Micheal Bergstrom (R-Adair) recreates the following Councils until July 1, 2026: Water Quality Management Advisory Council, Hazardous Waste Management Advisory Council, Solid Waste Management Advisory Council, and Radiation Management Advisory Council.

The bill passed Thursday by a [vote](#) of 88 to 0. The bill moves to the Senate.

**Construction Industries Board/Sunset:** [HB 2810](#) by Rep. Gerrid Kendrix (R-Altus) and Sen. Julie Daniels (R-Bartlesville) recreates CIB until July 1, 2026.

The bill passed the House on Monday by a [vote](#) of 91 to 0. The bill moves to the Senate.

**Municipal Franchise Agreements:** [HB 2857](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Grant Green (R-Wellston) allows a supplier that is or has been operating under a franchise granted by the voters of a municipality may continue to collect related voter approved franchise fees until such legal actions and uncertainties have been resolved, provided that during such period such collections shall be place in escrow if legal actions have commenced or reasonable legal uncertainty exists related to the status of expiration, extension, or renewal of a franchise agreement.

The bill passed the House on Tuesday by a [vote](#) of 80 to 13. The bill moves to the Senate.

**Prevention of Youth Access to Tobacco:** [SB 34](#) by Sen. Chuck Hall (R-Perry) and Sen. Collin Duel (R-Guthrie) updates the statutes relating to the Prevention of Youth Access to Tobacco.

The bill passed the Senate on Wednesday by a [vote](#) of 47 to 0. The bill moves to the House.

**Local Development & Enterprise Zone Incentive Leverage Act:** [SB 317](#) by Sen. Dewayne Pemberton (R-Muskogee) and Rep. Chris Sneed (R-Fort Gibson) requires the governing body of a city, town, or county to report to the Oklahoma Department of Commerce on increment districts in operation for nine (9) months or more, on or before the ninetieth (90) day following the end of each fiscal year. Commerce shall provide a copy of the report to any member of the public upon request. The disclosure report shall include the following information: the amount and source of revenue captured and apportioned pursuant to the plan; the amount and purposes of expenditures; the amount of principal and interest due on outstanding bonded indebtedness; the tax increment base and current captured appraised value or the other local tax or fee collections retained by the area; the captured appraised value or the other local tax or fee collections shared by the city, town, or county and other taxing entities, the total amount of tax increments received, and any additional information necessary to demonstrate compliance; the name of the person who is in charge of the implementation plan; and the names of the person who have disclosed an interest as required pursuant to Section 857 of this title and the interest disclosed. For those incentive districts in operation for nine (9) months or more, on or before the ninetieth (90) day following the end of the year, the governing body of a city, town or county shall submit a report to Commerce which shall be made public upon request. The report shall include the following information: the parties receiving the incentives or exemptions; a general description of the property and the improvements to be made; the portion and fair market value of the property to be exempted or that portion of the local taxes to be subject to incentives or to be exempted; the duration of the incentives or exemptions; additional information necessary to demonstrate compliance; the name of the person who is in charge of the implementation of the plan; and the names of the persons who have disclosed an interest as required pursuant to Section 857 of this title and the interest disclosed.

The bill passed the Senate on Tuesday by a [vote](#) of 43 to 0. The bill moves to the House. This language was drafted by OML working with CareerTech and CCOSA.

**Sales Tax Exemption/Gold Star Mothers:** [SB 318](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Jay Steagall (R-Yukon) modifies the exemption for sales of tangible personal property to a service of organization of mothers who have children who are serving or who have served in the military. The bill removes the language stating the exemption does not apply to a city, town, county, or any other jurisdiction in this state.

The bill passed the Senate on Tuesday by a [vote](#) of 42 to 0. The bill moves to the House.

**Election/Primary Dates:** [SB 375](#) by Sen. Brent Howard (R-Altus) and Rep. Carl Newton (R-Cherokee) modifies the primary election dates from the last Tuesday in June to the third Tuesday in June. Declarations of candidacy moves to the Second Monday in April to the succeeding Wednesday at 5:00 p.m.

The bill passed the Senate on Thursday by a [vote](#) of 45 to 0. The bill moves to the House.

**Sales Tax Exemption/Surviving Spouse Exemption:** [SB 392](#) by Sen. Brenda Stanley (R-Midwest City) and Rep. Brad Boles (R-Marlow) increases the number of exemption cards from a member of the household to up to two (2) members who are eligible to make purchase on the persons behalf. Nothing herein, shall preclude the surviving spouse of a deceased veteran from eligibility for the sales tax exemption on the basis that the disability rating was awarded on or after the veterans date of death. The sales qualifying for the exemption shall not exceed Ten Thousand Dollars (\$10,000.00) which is up from the current One Thousand Dollars (\$1,000.00) to the unremarried surviving spouse.

The bill passed the Senate on Tuesday by a [vote](#) of 42 to 0. The bill moves to the House.

**Disabled Veteran Vehicle Tax Exemption:** [SB 393](#) by Sen. Brenda Stanley (R-Midwest City) and Rep.

Josh West (R-Grove) exempts sales of motor vehicles to the disabled veteran to not apply toward the limitation on sales qualifying for the exemption provided for in this subparagraph; however, this exception may not be claimed by the qualifying disable veteran for more than one vehicle in a consecutive three (3)-year period, unless the vehicle is a replacement for a vehicle which was destroyed and declared by the insurer to be a total loss claim.

The bill passed the Senate on Tuesday by a [vote](#) of 45 to 0. The bill moves to the House.

**Public Libraries/School Libraries/Materials:** [SB 397](#) by Sen. Warren Hamilton (R-McCurtain) and Rep. Sherrie Conley (R-Newcastle) beginning September 1, 2023, school districts, charter schools, and public libraries shall appoint a committee to conduct an inventory of print and nonprint materials and media located in their libraries. A library media specialist employed by a school district or charter school shall be included on the committee. The inventory shall be completed by July 1, 2024. The bill directs the materials and media to be given the designations of “elementary,” “junior high,” “under 16,” and “juniors and seniors” based on their content. School districts and charter schools beginning July 1, 2024, are directed to include only materials and media with certain designations in certain school libraries. The measure directs materials and media designated as “juniors and seniors” to be placed in a section of the library only accessible to librarians, teachers, and other school staff, and a student can only access the material or media with written consent from a parent or legal guardian. The bill directs public libraries beginning July 1, 2024, to place the materials and media designated “juniors and seniors” in a section of the library only accessible to staff, and such material and media are only accessible to an individual under the age of 18 with written consent from a parent or legal guardian. Beginning July 1, 2024, it prohibits school district and charter school libraries and public libraries from including content that the average person aged 18 or older applying contemporary community standards would find has a predominant tendency to appeal to a prurient interest in sex.

The bill passed the Senate on Tuesday by a [vote](#) of 35 to 10. The bill moves to the House.

**Oklahoma Religious Freedom Act/Substantial Burden:** [SB 404](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Jon Echols (R-OKC) makes it a substantial burden to exclude any person or entity from participation in or receipt of governmental funds, benefits, programs, or exemptions based solely on the religious character or affiliation of the person or entity. A civil action brought under Section 1-745.55 of Title 63 of the Oklahoma Statutes shall not be subject to any provision of the Oklahoma Religious Freedom Act.

The bill passed the Senate on Tuesday by a [vote](#) of 38 to 7. The bill moves to the House.

**Video Services/Municipal Agreements:** [SB 460](#) by Sen. Roger Thompson (R-Okemah) and Rep. Ryan Martinez (R-Edmond) modifies the definition of "video services" to include wireline facilities that are owned, controlled, constructed, or operated by the provider of such video service and located at least in the part in the public right of way. Video services does not include video programming provided by a commercial mobile service provider as defined in 47 U.S.C., Section 332(d)(1); direct-to-home satellite services as defined in 47 U.S.C., Section 303(v) that are transmitted from a satellite directly to a customer's premises without using or accessing any portion of the public right-of-way; or video programming accessed over the internet, including streaming content.

The bill passed the Senate on Monday by a [vote](#) of 46 to 0. The bill moves to the House.

**(OML Priority) Municipal Judge Certification:** [SB 462](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Josh West (R-Grove) beginning July 1, 2025, no person may be newly appointed pursuant to paragraph 2 of this subsection as a municipal judge. A municipal judge appointed prior to July 1, 2025, who has completed the requirements in subsections D and F, may continue to be reappointed. The bill removes the language for cities with a population of seven thousand five hundred (7,500) of having a non-attorney serve as a municipal judge. Beginning

July 1, 2025, any person any person currently appointed or serving as a municipal judge shall have completed a certification program as approved by the Oklahoma Municipal Judges Association. The certification program shall have a minimum of twelve (12) hours of continuing legal education approved by the Oklahoma Bar Association Mandatory Continuing Legal Education Commission to include laws specific to municipal courts, trial evidentiary matters, criminal cases eligible for municipal courts, and indigency hearings. Any person appointed as a municipal judge after July 1, 2025, shall have one (1) year from the date of appointment to complete the certification program described in paragraph 1 of this subsection. If a municipal judge has not completed the training required, the maximum fine that may be imposed by the municipal court in all traffic and criminal cases shall not exceed Fifty Dollars (\$50.00). A copy of the Oklahoma Municipal Judge certification shall be filed with the county clerk in the county in which the municipality is located and with the municipal court clerk.

The bill passed the Senate on Tuesday by a [vote](#) of 45 to 0. The bill moves to the House.

**Sales Tax Exemption/Rolling Stocks/Sunset:** [SB 463](#) by Sen. Roger Thompson (R-Okmulgee) and Speaker Pro Tempore Kyle Hilbert (R-Bristow) extends the sunset on the sales tax exemption for the sales or leases of rolling stocks to July 1, 2029.

The bill passed the Senate on Monday by a [vote](#) of 43 to 1. The bill moves to the House.

**Oklahoma Electric Vehicle Charging Act:** [SB 502](#) by Sen. Chuck Hall (R-Perry) and Speaker Pro Tempore Kyle Hilbert (R-Bristow) creates the Oklahoma Electric Vehicle Charging Act. The bill defines "retail electric supplier" to mean any person, firm, corporation, association, electric cooperative, municipal corporations, or beneficial trusts engaged in the furnishing of retail electric service. The bill provides that a retail electric supplier that owns or operates an electric vehicle charging station shall do so only through a separate, unregulated entity and must do so on the same fees, terms, charges, and conditions offered to private providers of electric



vehicle charging stations. The bill prohibits the subsidy of such stations after December 31, 2023. Such providers shall not be classified as public utilities. The bill also requires each supplier to maintain a commercial direct current fast charging station tariff utilizing alternatives to traditional demand-based rate structures. The fees shall not discriminate among electric vehicle charging providers. Suppliers shall file the collected tariff with the Corporation Commission if such entities are listed with the Commission. If the supplier is not listed with the Commission, it shall publish an initial tariff that complies with the requirements of this measure by October 1, 2024.

The bill passed the Senate on Wednesday by a [vote](#) of 47 to 0. The bill moves to the House.

**Initiative & Referendums:** [SB 518](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Mark Lepak (R-Claremore) requires voters signing a petition to place a measure on the ballot for the next election to sign using his or her legal name. The measure also authorizes the Secretary of State to charge a filing fee not to exceed Seven Hundred Fifty Dollars (\$750.00) to cover the cost of publication of notice as it relates to filing a petition. The notice must be published on the Secretary's website. Notice of such filing shall be provided to the President Pro Tempore of the Senate and the Speaker of the House of Representatives. The time period to protest a petition is increased from ten (10) days to twenty (20) days after publication.

The bill passed the Senate on Wednesday by a [vote](#) of 38 to 8. The bill moves to the House.

**Emergency Medical Services:** [SB 536](#) by Sen. Paul Rosino (R-OKC) and Rep. Brian Hill (R-Mustang) resolves conflicting duplicate sections in the Oklahoma Emergency Response Systems Development Act. It provides that ambulance services shall include comprehensive integrated medical care in emergency and nonemergency settings under the supervision of a physician. The bill creates a regulatory framework for the creation of community paramedic services that will mitigate unnecessary use of ambulatory services. Such services must be part of a care plan ordered by a

primary health care provider or hospital provider as well as include health assessment, chronic disease monitoring and education, medication compliance, immunizations and vaccinations, laboratory specimen collection, hospital discharge follow-up care, and minor medical procedures compliant with the community paramedic's scope of practice and approved by the ambulance medical director. The bill repeals Section 1-2503 of Title 63 pertaining to the Oklahoma Emergency Response Systems Development Act.

The bill passed the Senate on Thursday by a [vote](#) of 43 to 0. The bill moves to the House.

**Emergency Price Stabilization Act:** [SB 640](#) by Sen. John Montgomery (R-Lawton) and Rep. Mark McBride (R-Moore) adds natural gas to the list of commodities to price increase limitations during the declaration of emergency by the Governor.

The bill passed the Senate on Tuesday by a [vote](#) of 40 to 5. The bill moves to the House.

**Law Enforcement/Human Trafficking:** [SB 661](#) by Sen. Cody Rogers (R-Tulsa) and Rep. Jeff Boatman (R-Tulsa) creates in the State Treasury a revolving fund for the Office of the Attorney General to be designated the "Victims of Human Trafficking and Prevention Revolving Fund". The fund shall consist of all monies received from penalties imposed by the courts on convictions of human trafficking violations and funds received from any other source, including legislative appropriations. The purposes of the fund, include, but are not limited to: 1) educating the public about the recruitment, trafficking, and exploitation of persons through human trafficking; 2) assisting in the prevention of recruitment in schools of minors for exploitation; 3) establishing a survivors' resource center to make information available to survivors about services and resources, including legal services, social services, safe harbors, safe houses, and language services; 4) assisting in coordination between law enforcement agencies and service providers; and 5) providing information concerning a petition for expungement of a criminal history record resulting from the arrest or filing of charges for an offense

committed or reported to have been committed while the person was a victim of human trafficking.

The bill passed the Senate on Wednesday by a [vote](#) of 44 to 0. The bill moves to the House.

**Oklahoma Organized Retail Crime Task Force:** [SB 674](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) creates a thirteen (13) member Oklahoma Organized Retail Crime Task Force until December 31, 2024. The purpose is to provide the Legislature and the Governor with information on organized retail crime and the advantages and drawbacks of instituting various countermeasures to counter losses from retail in the state. Of the thirteen (13) members, one member appointed by the Governor shall represent state or local law enforcement and another member appointed by the Chiefs of Police Association.

The task force report shall include, but not limited to, the following information based on available data: 1) a review of laws and regulations on organized retail crime used by other states, the federal government, and foreign countries to regulate the marketplace; 2) the use of organized retail theft's impact on state and local tax receipts; 3) need for interagency coordination of public education and prevention programs for business owners; and 4) legislative and regulatory recommendation, if any, to increase transparency and security, enhance consumer protections, prevent organized retail theft, and to address the long-term economic impact related to the prevalence of organized retail crime.

The bill passed the Senate on Tuesday by a [vote](#) of 46 to 0. The bill moves to the House.

**Ambulance Service Provider Access Payment Program:** [SB 744](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kevin Wallace (R-Wellston) provides for supplemental Medicaid reimbursement on ground emergency transportation for services reimbursed through fee-for-service contracts and for services reimbursed through capitated contracts an amount to be determined with the approved directed payment pre-print, based on claims submitted. The bill

authorizes a governmental entity to enter into and maintain an intergovernmental agreement with the Authority, as specified by the Authority.

The bill passed the Senate on Monday by a [vote](#) of 45 to 1. The bill moves to the House.

**Sales Tax Exemption/Digital Asset Mining:** [SB 750](#) by Sen. John Montgomery (R-Lawton) and Rep. Scott Fetgatter (R-Okmulgee) creates a sales tax exemption for the sale of machinery and equipment used for commercial mining of digital assets in a colocation facility. The exemption shall sunset on January 1, 2039.

The bill passed the Senate on Thursday by a [vote](#) of 28 to 17. The bill moves to the House.

**DEQ/Nuclear Energy Feasibility Study:** [SB 847](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Brad Boles (R-Marlow) requires DEQ, on or before January 1, 2025, in coordination with the Office of the Secretary of Energy and Environment to conduct a study on the feasibility of establishing nuclear facilities in this state. The study shall include the state requirements as specified by the US Nuclear Regulatory Commission and any method federal agency approval. DEQ shall issue a report based on its findings and deliver to the Governor, Speaker, Pro Tempore, Chair of Senate Energy, and Chair of the House Energy and Natural Resources Committee no later than February 1, 2025.

The bill passed the Senate on Tuesday by a [vote](#) of 46 to 0. The bill moves to the House.

**Oklahoma Aircraft Engine Testing Development Grant Program:** [SB 942](#) by Sen. John Haste (R-Broken Arrow) and Rep. Kevin Wallace (R-Wellston) creates within the Oklahoma Aeronautics Commission, the Oklahoma Aircraft Engine Testing Development Grant Program to offer financial assistance by grant to private or public entities for the purpose of augmenting the aircraft engine testing capabilities of this state and developing aircraft engine testing infrastructure. Grant funding shall be administered based on merit and the potential for a specific project to enhance the aviation and aerospace industry of this state. A

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grant under this program shall be a one-time award. There is to be appropriated Twenty Million Dollars (\$20,000,000.00) for the Aircraft Engine Testing Development Grant Program Revolving Fund.

The bill passed the Senate on Thursday by a [vote](#) of 42 to 3. The bill moves to the House.

**Sales Tax Exemption/Timber:** [SB 961](#) by Sen. Chris Kidd (R-Waurika) and Rep. Eddy Dempsey (R-Valliant) adds timber to the definition of "agricultural products" and adds farming or farm shall include the production of timber, seedling production and forestry management to the exemption of sales tax.

The bill passed the Senate on Wednesday by a [vote](#) of 45 to 0. The bill moves to the House.

**Tort Claims/Public Trust Hospitals:** [SB 1087](#) by Sen. Brent Howard (R-Altus) and Rep. Marcuse McEntire (R-Duncan) amends the Governmental Tort Claims Act definition of "employee". For purposes of GTCA, a physician licensed to practice medicine pursuant to Title 59 of the Oklahoma Statutes who provides medical services in a public trust hospital, but who is not employed by such hospital, to be deemed an employee only for medical services provided in such hospital.

The bill passed the Senate on Thursday by a [vote](#) of 38 to 8. The bill moves to the House.